

# RESOLUTION 1666

## **A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, DECLARING AN EMERGENCY, WAIVING BIDDING REQUIREMENTS, AND AUTHORIZING THE PURCHASE OF EQUIPMENT AND AWARD OF CONSTRUCTION CONTRACTS TO MAKE EMERGENCY IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, the City of North Bend operates a 2.6 million gallon per day wastewater treatment plant that discharges treated effluent to the South Fork of the Snoqualmie River (“WWTP”); and

**WHEREAS**, the WWTP has unexpectedly experienced operational deficiencies that currently impair operation as more particularly set forth in a March 21, 2014 technical memorandum prepared by Tetra Tech entitled “Wastewater Treatment Plant Issues and Needed Improvements” (the “Report”), a copy of which is on file with the City Clerk and incorporated herein by this reference; and

**WHEREAS**, Tetra Tech has advised the City that it must proceed as quickly as possible with certain critical and high priority improvements to the WWTP in order to avoid environmental risks including possible discharge of inadequately treated wastewater into the South Fork of the Snoqualmie River in violation of the City’s National Pollutant Discharge Elimination System (“NPDES”) Permit issued by the Washington State Department of Ecology; and

**WHEREAS**, a fire also occurred in the Fenton sludge dryer at the WWTP on or about April 21, 2014 rendering the sludge dryer inoperable and resulting in an accumulation of sludge in the oxidation ditch causing odor, more frequent air quality issues, and significant citizen complaints regarding smells emanating from the WWTP; and

**WHEREAS**, to address the immediate threats caused by the WWTP operational deficiencies and fire, Table 1 of the Report identifies the critically important improvements that must be made and which are generally described as the following three projects (the “Improvements”):

1. Purchase and install new oxidation ditch outlet structure, gate and piping to eliminate the hydraulic bottleneck that impairs the operation of the aeration system during high flows associated with wet weather; and
2. Repair or replace two original aeration rotors and upgrade drive controls for all four aerations to maintain process performance; and
3. Purchase and install new conveying system to provide automated loading of truck or transport container with dewatered sludge to facilitate disposal of centrifuge

dewatered sludge as an alternative to drying the sludge in the sludge dryer or hauling dilute liquid sludge; and

**WHEREAS**, RCW 39.04.280 specifically authorizes the North Bend City Council to waive competitive bidding requirements “in the event of an emergency;” and

**WHEREAS**, in order to avoid adverse environmental impacts; in order to remain in compliance with all applicable laws, including the City’s NPDES Permit and Washington State Department of Ecology regulations; and in order to protect the public health, safety, and welfare of the people, the City must take immediate action to proceed with the Improvements;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1. Emergency Finding.** The North Bend City Council hereby finds that the fire and the operational deficiencies that have arisen at the WWTP are the result of unforeseen circumstances beyond the control of the City that present both a real and immediate threat to the proper performance of the WWTP and a risk of material damage to the environment and to the South Fork of the Snoqualmie River if immediate action is not taken to construct the Improvements. The City Council, therefore, declares that an emergency exists related to the WWTP. In addition, the foregoing “Whereas” clauses shall constitute additional North Bend City Council findings of an emergency.

**Section 2. Waiver of Bidding Requirements and Contract Awards.** As a result of the emergency declared in Section 1 of this Resolution, the North Bend City Council hereby waives all bidding requirements consistent with Chapter 39.04 RCW, awards the contracts to the entities listed below in a form and with content approved by the City Attorney, and authorizes the Mayor to enter into said contracts:

| Item | Summary Description of Equipment/Construction Elements  | Supplier/Contractor                            | Price w/o Sales Tax including Shipping |
|------|---|--|--|
| 1.   | Weir gate for new oxidation ditch outlet  | Golden Harvest, Inc.<br>Burlington, WA         | \$20,175                               |
| 2.   | Inclined and distributor screw conveyors for conveying dewatered sludge to new sludge loading area.   | Austin-Mac, Inc.<br>Seattle, WA                | \$59,978                               |
| 3.   | Two new aeration rotors and ancillary equipment for oxidation ditch   | Lakeside Equipment Corporation<br>Bartlett, IL | Not to Exceed.<br>\$155,929            |
| 4.   | General Construction Contractor for construction of the critically needed improvement including the installation of City of North Bend furnished equipment (Items 1-3 | Pacific Crest Construction,<br>Lynnwood, WA    |  |

|  |  |               |                         |
|--|--|---------------|-------------------------|
|  | above)   |               |                         |
|  | a.) Construct new oxidation ditch outlet structure including piping, fitting, gate valve and installation of weir gate (Item 1, above) furnished to Contractor by City of North Bend.  | Same as above | not to exceed \$194,800 |
|  | b.) Install City of North Bend furnished conveyers (Item 2 above) to convey dewatered sludge to new sludge loading area. Construct new sludge loading canopy roof system, foundation system, canopy perimeter lighting, conveyor supports; conveyor electrical and control systems; relocate sludge dryer odor control unit including foul air and condensate conveyances; condensate pumping system including electrical and controls; on-site drainage and paving improvements; and security gate and fence modifications. | Same as above | not to exceed \$165,000 |
|  | c.) Remove two old aeration rotors and ancillaries and install new aeration rotors and ancillaries furnished by the City of North Bend (Item 3 above). Remove, refurbish and reinstall two existing aeration rotor covers and access platforms. Furnish and install new oxidation ditch level monitoring and controls and two aeration rotor motor temperature monitoring and control systems.   | Same as above | not to exceed \$510,000 |

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,  
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19<sup>TH</sup> DAY OF  
AUGUST, 2014.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Kenneth G. Hearing, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: August 19, 2014

Posted: August 20, 2014

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**Susie Oppedal, City Clerk**